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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

In re:

C. W. MINING COMPANY, dba Co-Op
Mining Company,

Debtor.

Bankruptcy Case No. 08-20105 RKM
(Chapter 11)

**STATEMENT OF ELECTION TO HAVE
APPEAL HEARD IN DISTRICT COURT**

GARY E. JUBBER, Trustee,

Plaintiff,

vs.

DEFENDANTS RE HIAWATHA COAL
PROCEEDS,

Defendants.

Miscellaneous Adversary Proceeding
No. 11-08001

Hon. R. Kimball Mosier

(Electronically Filed)

Gary E. Jubber and Aquila, Inc. hereby elect to have their appeal of the final order¹

¹ Order Denying Trustee's Motion for Partial Summary Judgment, Granting Defendants' Cross-Motion for Summary Judgment, and Dismissing Defendants' Rule 56(d) Motion as Moot [[Docket No. 216](#)].

entered in this adversary proceeding on June 20, 2014, heard by the United States District Court for the District of Utah.

Dated this 7th day of July, 2014.

RAY QUINNEY & NEBEKER P.C.

/s/ Brent D. Wride
Brent D. Wride
Proposed Attorneys for Chapter 11
Trustee
Attorneys for Aquila, Inc.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **STATEMENT OF ELECTION TO HAVE APPEAL HEARD IN DISTRICT COURT** was electronically filed with the Clerk of the Court using the CM/ECF system on July 7, 2014, and therefore electronic notification was sent to all parties whose names appear on the electronic mail notification list for the Court.

/s/ Patricia Brown

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